

UTTAR PRADESH CIVIL PROCEDURE MEDIATION RULES, 2009

16 13 2009 No. 1253/VII-Nyaya-2-2009-31G,,08 Dated Lucknow, August 2009 In exercise of the rule making power conferred under Part X of the Code of Civil Procedure, 1908 and clause (d) of sub-section (2) of section 89 of the said Code, and all other powers enabling it in this behalf, the High Court of Judicature at Allahabad makes the following Rules. Short title and commencement Extent Appointment of mediator from the panel under Rule 4 by agreement of the parties Panel of mediators Rule 5. Qualifications of person to be empanelled under Rule 4. (i) These rules may be called the Uttar Pradesh Civil Procedure Mediation rules, 2009. (ii) They shall come into force from the date of their publication in the Official Gazette

2. These rules shall apply to all court annexed mediation with regard to any suit or other proceeding filed/pending in any Court subordinate to the High Court of Judicature at Allahabad. The Mediation in respect of any suit or other proceeding may be referred to the mediation and conciliation Centre set up in the District. Upon such a reference being made to the Mediation and Conciliation Centre, these rules will apply. 3. (a) Parties to a suit may all agree on the name of the sole mediator for mediating between them. (b) Where there are two sets of parties and are unable to agree on a sole mediator, each set of parties shall nominate a mediator. (c) Where there are more than two sets of parties having diverse interests, each set shall nominate a person on its behalf and the said nominees shall select the sole mediator and failing unanimity in that behalf, the Court shall appoint a sole mediator. 4. (a) (i) The District and Sessions Judge in each District shall, for the purpose of appointing mediator to mediate between parties in suits or other proceedings, prepare a panel of mediators, within a period of sixty days of the commencement of these Rules, after obtaining the approval of the High Court to the names included in the panel, and shall publish the approved list of mediators on their respective notice board with copy to each Bar Association in the District Courts. (ii) Copies of the said panels referred to in clause (a) (i) shall be forwarded to all the outlying Courts subordinate to the District & Sessions Judge concerned and to the Bar associations attached to each of the outlying Courts: (b) The consent of the persons whose names are included in the panel be obtained before empaneling them on proforma as set out in schedule- I (c) The panel of names shall contain detailed annexure giving details of the qualifications of the mediators and their professional or technical experience in different fields. (d) The panel of mediator appointed under clause (a) shall normally be for a period of three years from the date of appointment and further extension of the panel of mediators or any mediator shall be at the discretion of the District & Sessions Judge with the prior approval of the High Court: (e) The District & Sessions Judge with prior approval of the High Court, may in his discretion, from time to time, add or delete any person in the panel of mediator

5. The following persons shall be treated as qualified and eligible for being enlisted in the panel of mediators under Rule 4, namely : (a) Retired on superannuation District and Sessions Judges and retired on superannuation Additional District & Sessions Judges of the Uttar Pradesh Higher Judicial Service. 60 I \ Ah. It?d lil}qs put' POIEL11tUOU atto 3.10tu st 0.1011) pal l'.ultuou sp. tronutu.101Llt q.-yns .10)t'.tpatLt all) 01 11M u.tlll lluqs Ki.1P.d (IA) XIJ Kt'.ut 1.1110 D su Otun .10 qons uo pup, 1.1110 D at!) yo qons Ill.-uunoopt lt2U1fi1.tO mut .NOOI 01 Ltltq utu-lod Keu: I-tno.) nuotunoopt IVUlfil.lO Rue plnoqs oq uotutdo atll .10 Sl .t01ÜtpatL1 poppxo.ld 1)0A10so.; aq 0) sanssy atll UOI)OOUO,' pofueq.mxo KlIttuntu aq oso', upup..totuatu po.unbo.l Älqueosr,o.l .101vnpau: putns•.tapun 01 qons s.anssu UOI.1P,tU-10JU1 pue sansst asotp 01 pad.so-l 11011!sod put! spa,yosa.l oq .10.1mpotu 0) apy,o.td 'Lt0!ssos u sÄr,p 'lIt'.qs Kl.tp.d tl.oeo (A!) sa!lAt2d s•iunauf mc.tcclas JO Ionpuoo Kr.tu aq luaso.ld aq 01 san.rud Suotssas .1t01)ül1iatu qot',a JO atun acp pue salt?) KIOtwau 'pauonuatl '1.101211)0tu Äq a.mpaoo.td lltqs oq 01 0Jnpaoo.ld .tp,lnon.tüd Kue uo aa.lRc op sop-md a.taqm (q) •situpoao.ld .10 lonpuoo.0 .101P,tpaLtl Rq pam0110J oq 01 a.tnpooo.ld uo soy.lt'd (p.) •pau.ta.ouoo afipnr suotssas atll) Kq 11',Ao.ldde s)! 01 100.110 aq lltqs qotqm .101).10 pausuo.l e ssed lltqs pug laund 1110.11 pantap .10 paA0tuat aq 01 pasodo.ld st atuuu -10112!patt1 llt'.qs pouaauoo atll pup (IA) osnt21.o -lapun 'atueu syq fiupotap .10 illiAoutaJ opto;q : 1011td all) LI! uos.löd JO acucu anunuo.n 01 01qu.usop .10 01(1tsod 1011 st 'pausnes .10 ld!aoa.l uodn •pououedtua 'unoo '..10)L'tpacu e IO fiuuuooaqun 10 0.nuununuon fiti!.tnp nonpuoa Kltlsyp suqtqxa (!A) pounsa.l a xuq.l() ill!puod ale

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 meoQApv----- pue LIO 0111! PO-Iawa S! ql (LNaVN+hIDV ua1N3D NOILVVIIDNOD (JNV
 NOIJVI(13VN dlHYdDanr----- s aanaauos 600Z €V I.e-?.n I g OJ&0h •tl!tPDS WIUUD.lld 'Idlëv
 •v •s 'JOPJO .1D.1J.€!9øý 'vuno HSANIG 'unoo oquo .:ap.10 Kg pmea s) 101e!povv Äq poufi!S -uo unoo
 It'.adde 01 popup uooq OAeq sop-led •9 •uope!pon 1011 somed JO 'Iti0tuoo.fie •ou 'popldtuoo uope!pon
 posquoo tuotuoofiv uonuyrov•q (!) . SuO!SSOS uopmpon• JO (S) •S (o) (q) (e) : same!pon IW.10Jou JO
 Olea •€ Kq po.uojau 'ON asr.D unoo I El-Uno,) OX Q10dau uaLNao NOIXVIIIIDNOO N011VtaaVN
 6008 '2m dlHSaoanf-----